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BRINGING HOME THE BACON
**CONGRESS AND THE REORGANIZATION OF
THE CORPS OF ENGINEERS**

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Seminar J - Ambassador Peter Sommer
18 December 1992

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Report Documentation Page				Form Approved OMB No. 0704-0188	
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1. REPORT DATE 18 DEC 1992		2. REPORT TYPE		3. DATES COVERED 18-12-1992 to 18-12-1992	
4. TITLE AND SUBTITLE Bringing Home the Bacon. Congress and the Reorganization of the Corps of Engineers				5a. CONTRACT NUMBER	
				5b. GRANT NUMBER	
				5c. PROGRAM ELEMENT NUMBER	
6. AUTHOR(S)				5d. PROJECT NUMBER	
				5e. TASK NUMBER	
				5f. WORK UNIT NUMBER	
7. PERFORMING ORGANIZATION NAME(S) AND ADDRESS(ES) National War College, 300 5th Avenue, Fort Lesley J. McNair, Washington, DC, 20319-6000				8. PERFORMING ORGANIZATION REPORT NUMBER	
9. SPONSORING/MONITORING AGENCY NAME(S) AND ADDRESS(ES)				10. SPONSOR/MONITOR'S ACRONYM(S)	
				11. SPONSOR/MONITOR'S REPORT NUMBER(S)	
12. DISTRIBUTION/AVAILABILITY STATEMENT Approved for public release; distribution unlimited					
13. SUPPLEMENTARY NOTES					
14. ABSTRACT see report					
15. SUBJECT TERMS					
16. SECURITY CLASSIFICATION OF:			17. LIMITATION OF ABSTRACT	18. NUMBER OF PAGES 11	19a. NAME OF RESPONSIBLE PERSON
a. REPORT unclassified	b. ABSTRACT unclassified	c. THIS PAGE unclassified			

BRINGING HOME THE BACON

CONGRESS AND THE REORGANIZATION OF THE US ARMY CORPS OF ENGINEERS

INTRODUCTION

It is only at great peril that politics are ignored in any decision at the national level. This lesson was driven home in August 1991 when the Chief of Engineers, Lieutenant General Henry J. Hatch, learned that his two-year effort to improve the efficiency of the United States Army Corps of Engineers would die in the halls of Congress. His apparent mistake was in applying a rational, scientific approach to a seemingly straight-forward problem without taking into account the impact of the bureaucratic political process.

Graham Allison¹ suggests that three models guide governmental decision making. First is the Rational Actor Model in which national government makes decisions based on an objective evaluation of options as they relate to goals, objectives, and potential consequences. Next is the Organizational Model in which decisions are reached through the balancing of institutional influences of governmental organizations, each of which takes characteristically predictable positions. Finally comes the Bureaucratic Politics Model in which decisions result from compromises between players in particular positions with varying degrees of personal and institutional power. While there is debate over the strict applicability of any one model, there is little doubt that a strictly rational approach will have little chance of success in the politically charged atmosphere of government.

General Hatch's attempt to reorganize the Corps of Engineers--the world's largest construction agency--is a useful case study because it involved an institution with both an important role in national defense and an important domestic responsibility with political implications. This paper examines the case for reorganization of the Corps of Engineers, the players in the decision-making process, the process itself, and its outcome.

THE CASE FOR REORGANIZATION

The United States Army Corps of Engineers is a unique organization. While its leadership is made up of uniformed Army officers, the vast majority of its 43,000 employees are civilians. With an average annual working budget of \$10 billion it serves as the construction agent for the Army and Air Force as well as having responsibility for the design, construction, and operation of national water-related structures. Additional missions include environmental protection and restoration, disaster response, research and development, and reimbursable assistance to other nations. With more than 900 work stations spread across the contiguous 48 states it is both a national and a local agency. Its large budget, regulatory functions, and local presence make it a direct conduit from Washington to congressional districts for dollars, jobs, and influence. As General Colin Powell said in a recent appearance before the National Defense University, "All politics are local."²-- and it is this local aspect of the Corps of Engineers that gives it such a high profile in Congress.

The unusual civil works responsibility of the Corps dates to the early 19th century

when, as the only organized body of engineers in the country, it was charged with the development of navigable rivers and harbors. Its organization and structure expanded to meet the infrastructure needs of the growing nation so that today it is present in areas where its original purpose has largely been served. The last formal reorganization of the Corps occurred in 1942 during the mobilization for World War II when it assumed the military construction mission. Under the present structure there are 10 regional divisions commanded by general officers and 38 districts commanded by colonels. This 50-year old structure is not compatible with today's mission, much less that of the next 50 years. A consolidation of activities would create more depth and breadth in larger, more robust districts while conforming to the general Department of Defense requirement to downsize³.

Congress recognized the need for reorganization in October 1989 when the House Energy and Water Subcommittee of the Appropriations Committee provided funding for a conceptual study. By November 1990 this study, known as the Bayley Report, was almost complete when Congress enacted the 1991 Base Closure and Realignment (BRAC) legislation.

THE PLAYERS

While many people and agencies had stakes in the outcome of the decision to reorganize the Corps, four principal organizations represented by a hand full of players would come to bear on the issue.

Congress, through the Defense Base Closure and Realignment Act of 1990 (Public Law 101-510) established the mechanism for BRAC decisions. In a process designed largely to protect members from political damage the Congress directed that an independent commission, nominated by the President and approved by Congress, evaluate base closings recommended by the Secretary of Defense. Following review by the commission Congress had only two options, either to accept or reject the list in its entirety. Oversight of the Corps of Engineers is split between the House and Senate Armed Services Committees and Public Works and Transportation Committees with various subcommittees of the Appropriations Committees having final say over funding. Since the Public Works and Transportation Committee has oversight on the Corps of Engineers' civil works mission there is normally a clause in defense legislation that excludes that portion of the Corps' mission from consideration. This key phrase was conspicuously absent from the BRAC bill. The principal organizational player was Rep. Robert A. Roe (D-NJ), Chairman of the Public Works Committee. Congressman William F. Clinger (R-Pa) is representative of a number of politicians whose districts were affected by General Hatch's reorganization plans.

The Administration's main player was Secretary of Defense Richard Cheney. His top priority was to get the Base Closure and Realignment list pushed through Congress as quickly as possible. Power to influence the result rested in Mr. Cheney's responsibility to recommend bases for closure. By carefully balancing military efficiency with political acceptability he could accurately forecast the outcome of the vote. Cheney

considered the dual role of the Corps as something of an aggravation since the civil works mission added complexity to political picture with very little return for Defense⁴. However, the potential for significant annual savings seemed to balance the possible risk to his BRAC recommendations.

The Chairman of the Base Closure and Realignment Commission was Jim Courter, a former six-term Republican Congressman from New Jersey. The eight-member commission was appointed by the President but was charged with making an objective assessment of the Secretary's proposed list. With the power to add, delete, or modify recommendations, Courter was careful to demonstrate that he was not biased toward either Congress or the Secretary. Where the Corps of Engineers was concerned there are indications that there was some degree of animosity between the Chairman and Mr. Roe of the Public Works and Transportation Committee, apparently dating back to their political rivalry in New Jersey and in Congress.⁵

The final major player in the process was Lieutenant General Hatch, the Commanding General of the Army Corps of Engineers. He had long recognized the need to reorganize his command even though it meant a reduction in size which brought with it a reduction in the number of general officer billets in the Corps. He favored a dramatic, quickly executed approach rather than a protracted "ooze" to a new structure which would keep the command in turmoil over a long period⁶.

THE PROCESS

There appeared to be universal agreement among all the players that a reorganization was necessary. The disagreement was in the mechanism used to determine the new organization and of course in the new structure itself.

General Hatch recognized that it would be virtually impossible to push through a dramatic reorganization plan as a separate action and saw the language of the BRAC legislation as a golden opportunity to cash in on the all-or-nothing approach with an end run around the Public Works and Transportation Committee. The centerpiece of his plan was the reduction from 10 divisions to six and from 38 districts to 29 with some consolidation of engineering and administrative functions. This of course meant a reduced dispersion of the Corps' local presence. Since it would have been a remarkable oversight to accidentally omit the traditional exclusion of the Corps he seemed to be on fairly safe ground. In fact he even informed Rep. Roe's committee that he was continuing the Bayley Report for submission to the BRAC Commission. Apparently he received no direct negative reaction.

Mr. Cheney appeared to be relatively ambivalent about the matter. What was most important to him was that his BRAC package be pushed through as quickly as possible with a minimum of debate. He supported the Corps reorganization but in April 1991 as rumors of the reorganization of the Corps of Engineers began to circulate in Congress he removed it from consideration at the request of Congressmen Roe and others when it became apparent that it might jeopardize the entire package.

The BRAC Commission had other ideas. While largely accepting Cheney's

recommendations, they removed a number of installations from the list and added the Corps of Engineers reorganization. The addition of the Corps was significant in two respects. First, it reversed a specific decision taken by the Secretary at the request of key congressional committee chairmen. This was perhaps to deflect criticism that the Committee, in the words of Senator John Breaux (D-La), "was simply a rubber stamp for the Pentagon."⁷ Second, it compensated for the savings lost in the removal of other installations from the list. Even with the expected \$115 million annual savings provided by the Corps of Engineers reorganization, the Committee was still \$176 million short of Cheney's recommendation. Cheney was not pleased with the insertion of the Corps reorganization plan but in the end decided to comply with the Commission's recommendation and forward it to Congress.

The reaction in Congress was predictable. First, acting on an advanced copy of the Committee's recommendation, Congressman Roe appeared before the Committee in early June to appeal for the removal of the Corps from consideration before the report was forwarded to Congress for action. He based his argument on his committee's responsibility for oversight of the Corps' civil works mission and the inappropriateness for it to be handled as an Armed Services Committee action. Congressman Clinger whose Pittsburgh District was slated for closure was one of several individual congressmen who appeared before the Commission to object to both the process and the results.

Based on the reaction from Congress, Mr. Courter added the proviso that Congress

was not bound by the Corps reorganization plan if the Public Works Committee could commission and act on a plan of their own before July 1, 1992. That compromise was enough to secure congressional approval of the BRAC plan but it was not the end of the story. Apparently finding the prospect of complying with the Commission compromise too restrictive, the original legislation was retroactively changed through the Nunn Amendment in November 1991⁸ to exclude the Corps from the BRAC process and General Hatch's initiative was quietly killed.

EPILOGUE

Soon after passage of the Nunn Amendment the Public Works and Transportation Committee appropriated funds for a reorganization study under the direction of the newly appointed Assistant Secretary of the Army for Civil Works, Nancy Dorn, who moved to the post from a position as Mr. Cheney's Deputy Assistant Secretary of Defense for Latin American Affairs. While she had no engineering background she had extensive political experience as a congressional staffer who had also served in Reagan's White House Congressional Relations Office and whose husband was a senior aide to Sen. Robert Dole (R-KS). By combining her political sensitivity with the Corps' organizational and engineering expertise, and through cooperation with the appropriate congressional committees a compromise plan was reached. The new plan is almost identical to the old with the closure of five division headquarters, reduction of 2,600 spaces, and an annual savings of \$115 million. The only significant difference is that every district

headquarters will remain in place. Congressmen keep their important local presence, while the Chief of Engineers and Secretary of Defense get a more efficient organization. The fact that the proposed reorganization plan was held until after the elections and released on November 15, 1992 demonstrates yet again the extent to which political considerations played in the process.

CONCLUSION

General Hatch was not politically naive. His optimism on the success of the BRAC process was surely based both on his sincere desire to shape a more efficient organization and on his years of experience in Washington where virtually nothing with political consequences happens by accident. Drafters of legislation are masters at avoiding the pitfalls of ambiguous language unless they intend for it to be ambiguous. The entire structure of the BRAC process was an admission by Congress that it could not bring itself to act in an objective and unbiased manner on the base closure issue. There was no reason to believe that it would not take the same approach with the recognized need of the Corps of Engineers to streamline its activities. It is both interesting and ironic that the rational process and the bureaucratic political process produced essentially the same result in terms of manpower and cost reductions.

The real lesson here is not that rational decisions cannot emerge from the political process, but rather that no matter how correct a proposed action seems, the political consequences must be carefully addressed as the decision-making process unfolds.

Endnotes

1. Graham T. Allison, Essence of Decision: Explaining the Cuban Missile Crisis (Harper Collins, 1971).
2. General Colin Powell, address, National Defense University, Washington, 25 November 1992.
3. Lieutenant General Henry Hatch, Testimony before the Base Closure and Realignment Commission, Washington, 5 June 1991.
4. Confidential interview with former Defense Department official on 3 December 1992.
5. Confidential interview with a Corps of Engineers official on 10 December 1992.
6. Hatch, Testimony to BRAC Commission, 5 June 1992.
7. Elizabeth A. Palmer, "Commission Spares Just a Few From Cheney's Hit List," Congressional Quarterly 6 July 1991: 1847.
8. In fact the FY 92 Energy and Water Appropriations Bill, the Defense Appropriations Bill, and the Defense Authorizing Act contain very specific language such as, "Such term (military installations included in BRAC) does not include any facility used primarily for civil works rivers and harbors projects, flood control, or other projects not under the primary jurisdiction or control of the Department of Defense."